

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:15.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No. 9183 of 2019
and Crl.M.P.No.4865 of 2019

T.K.Balaji

...Petitioner

Vs.

1.The State rep. by,
The Inspector of Police,
CCB-1, Chennai.

2.Vijay Munuswamy

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in Crime No.364 of 2018 on the file of the Inspector of Police, CCB-1, Chennai for the alleged offence under Section 406, 420 & 506(1) of the Indian Penal Code 1860 and Section 3 and 4 of the Tamilnadu Prohibition of charging exorbitant interest act, 2003 and quash the same.

For Petitioner : Mr.S.D.Ramalinagam

For Respondents

For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

For R2 : Mr.Mahathichari

ORDER

This Criminal Original Petition has been filed to quash the F.I.R in Crime No.364 of 2018 on the file of the Inspector of Police, CCB-1, Chennai, pursuant to the compromise arrived at by the parties.

2. The case is still in the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner and the second respondent and also by their respective counsel. All the parties are present and identified by their respective counsel and the

Police. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card are made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in 2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.364 of 2018.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.364 of 2018, on the file of the Inspector of Police, CCB-1, Chennai, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this Order. The petitioner shall pay a sum of Rs.5000/-, as costs, to the Chennapuri Annadana Samajam, No.2, Sundara salai, R.A.Puram, Chennai-28. Ph.044-25354848/9841197841, within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry. Consequently, connected Miscellaneous petition is also closed.

s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

rri

To

1.The Secretary

Chennapuri Annadana Samajam, No.2, Sundara salai,
R.A.Puram, Chennai-28

2.The Inspector of Police,
CCB-1, Chennai.

3.The Public Prosecutor,
High Court,
Madras.

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GP(CO)
SP(29/05/2019)